



Austin City Council MINUTES

NOVEMBER 18, 1993 - 1:00 P.M.

1. Approval of Minutes for Regular Meeting of October 21 and November 4, 1993 and Special Meetings of November 3 (11:00 A.M. & 4:00 P.M.) and November 4, 1993
Postponed to December 2, 1993.

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Pat Valls-Trelles, to discuss spay/neuter.
3. Ms. Mimi Smith, to discuss repair of the heaters at the Austin-Travis County Animal Shelter. NOT PRESENT.
4. Mr. John W. Lewis, to discuss tax increase and officials' statements.
5. Ms. Charlene Shillman, to discuss support of the museum's new location at 807 Congress; this space is a generous donation from Al Whitney. It needs a lot of work: sanding painting carpet. It was bought in 1860 and is known as the Steiner Building.
6. Mr. Gavino Fernandez, to present a report from the People del Barrio and the Holly Power Plant Closure Committee.
7. Mr. Robert Donley, to discuss the Holly Power Plant Closure Committee.
8. Mr. Roberto Ramirez, to report on the findings of the Holly Power Plant Closure Committee. NOT PRESENT.
9. Mr. Dennis Paddie, to present State and City funded book of poems, newly published.
10. Mr. Kirk Becker, to discuss free trade in general and NAFTA in particular.
11. Mr. Charles Waits, Jr., to discuss utilization, conceptually, of envirosex to strengthen the environmental movement and solve with finality the south Austin outfall problem.

1:30 P.M. - REVENUE REFUNDING BONDS

12. Approve an ordinance authorizing the issuance of City of Austin, Texas, Hotel Occupancy Tax Revenue Refunding Bonds, Series 1993, in an amount not to exceed \$85 million, at a rate or rates not to exceed 7%, including approval and authorization of a Purchase Contract, Special Escrow Agreement, Paying Agent/Registrar Agreement, Notice of Redemption and Official Statement pertaining thereto. (Reviewed by Audit and Finance Committee)

DELETED

BOARD AND COMMISSION REPORTS

13. CHARTER REVIEW COMMISSION - Mr. Lee Cooke, Chair, to discuss current activities. Discussion.

ORDINANCES

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8650 Manchaca Road, Case No. C14-93-0109, from "SF-3", Family Residence; "SF-6", Townhouse and Condominium Residence; and "LO", Limited Office to "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay; and "LR", Neighborhood Commercial, BILL PFLUGER, TRUSTEE, by Griffin Engineering (Greg Griffin). First reading on October 7, 1993; Vote 7-0. Conditions met as follows: conditional overlay incorporates the conditions imposed by Council.
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2402-2406 South 4th Street, Case No. C14-93-0069, from "LO", Limited Office to "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay, H.C. BYLER, by LZT Associates (Herman Thun, Jr.). First reading on September 16, 1993; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.

#14-15 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.
16. Approve third reading to set FY 1993-94 water and wastewater retail rates to become effective April 1, 1994. (The proposed rates will result in projected revenues of \$154,314,751.) [Recommended by Water and Wastewater Commission and Resource management Commission]

On Councilmember Garcia's motion, Councilmember Reynolds' second, 4-3 Vote, Councilmembers Shea, Goodman and Nofziger voted No.

17. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 5, Speed Limits, to adjust the existing speed zone on Metric Boulevard to 35 mph from Rutland Drive to West Braker Lane, 40 mph from West Braker Lane to Scofield Lane, 45 mph from Scofield Lane to Staton Drive, and 50 mph from Staton Drive to Howard Lane. (Funding in the amount of \$500 for signs is available in the 1993-94 operating budget of the Department of Public Works and Transportation.)
18. Authorize acceptance of \$7,596 in additional funds from the Texas Natural Resources Conservation Commission (TNRCC) administered by the Lower Colorado River Authority (LCRA) for the Bioassessment Grant, which will allow the City to undertake a series of studies to document the relationship between urbanization and the water quality of the Colorado River Watershed (Barton Creek and Onion Creek); amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating an additional \$7,596 in grant funds to the Environmental and Conservation Services Department Special Revenue Fund.

#17 - 18 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.

RESOLUTIONS

19. Approve the selection of an underwriting team for financings related to the construction of an airport at the Bergstrom site. (Payment for underwriters will be made from proceeds on the bond sale.)
[Reviewed by Audit and Finance Committee]
On Councilmember Shea's motion, Councilmember Goodman's second, 6-0-1 Vote, Councilmember Reynolds abstained.
20. Approve a request by Juventino Ponce, operator of La Parriella Restaurant, located at 1422 Town Creek Drive, to waive the 300 ft. minimum separation distance requirement of City Code Section 8-3-4, between the restaurant, which intends to sell alcoholic beverages, and the Mission Hills Church. (No fiscal impact.)
21. Approve the filing of eminent domain proceedings to acquire a wastewater line easement containing 2,779 square feet of land out of The Henry Warnell Survey No. 20 in Austin, Travis County, Texas, owned by Gary Wayne Hart and Janice Elaine Baker for the Pecan Springs Wastewater Rehabilitation Project. (The estimated cost of this project is \$350; funding was included in the 1992-93 Capital Budget for the Water and Wastewater Utility.)
22. Approve the filing of eminent domain proceedings to acquire a wastewater line easement containing 1,603 square feet of land out of Lot 1 of Flournoy's Eastern Hills Section No. Five, a subdivision in

Austin, Travis County, Texas, owned by John H. Joyner for the Fort Branch of Boggy Creek Improvements, Phase II Project. (Funding in the amount of \$85 was included in the 1991-92 Capital Budget of the Water and Wastewater Utility.)

23. Approve execution of an amendment to the Agreement with MARRIOTT-HOST CORPORATION, Washington, D.C., for the operation of food, beverage and gift concessions at Mueller Airport until December 31, 1998 or the opening of the new airport, whichever comes first. (Estimated revenue to the city is \$4,000,000 over the life of the concession.) DBE Subcontractor participation: 16% (16% MBE, 0% WBE) (Recommended by Airport Advisory Board)
#20-23 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.
24. Approve authorization and execution of three (3) twelve (12) month contracts with PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY, Dallas, Texas, to provide basic life insurance and stop-loss insurance, in an amount not to exceed \$802,000; THE MITCHELL COMPANY (MBE) AND STANDARD INSURANCE COMPANY, Houston, Texas, to provide supplemental life insurance, dependent life insurance and long-term disability, in an amount not to exceed \$1,232,000, and THE MITCHELL COMPANY (MBE) AND AIG LIFE INSURANCE COMPANY, Houston, Texas, to provide accidental death and dismemberment insurance, in an amount not to exceed \$218,000 with two (2) twelve (12) month extension options in an amount not to exceed \$802,000, \$1,232,000 and \$218,000 respectively per extension option, for a total amount not to exceed \$6,756,000. (Funding in the amount of \$1,689,000 is available in the 1993-94 operating budget of the Employee Benefits Fund which is funded by City and employee contributions; funding for the remaining \$563,000 of the original contract period and the extension options will be contingent upon availability of funding in future budgets.) Low bids of seventeen (17). No M/WBE Subcontracting opportunities were identified.
On Councilmember Shea's motion, Councilmember Goodman's second, 6-0-1 Vote, Councilmember Reynolds abstained.
25. Approve execution of a twelve (12) month service agreement with SAFETY-KLEEN CORPORATION, Elgin, Illinois, for the supply of automotive parts washer containers and periodic servicing of the containers which are used to remove grease from engine and transmission parts during service and repair activities, in an amount not to exceed \$41,039, with an option to extend the agreement for two (2) twelve (12) month periods, in amounts of \$41,039 per extension, for a total contract amount not to exceed \$123,117. (Funding in the amount of \$34,199.20 is available in the 1993-94 operating budget of the Fleet and Radio Fund; funding for the remaining \$6,839.80 of the contract period and the extension options will be contingent upon availability of funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.

26. Approve execution of a twelve (12) month supply agreement with JRM PARTS, Austin, Texas, for the purchase of transmission repair parts for the City's fleet of large trucks, in an amount not to exceed \$50,000, with an option to extend the agreement for one (1) additional twelve (12) month period, in an amount not to exceed \$50,000, for a total contract amount not to exceed \$100,000. (Funding in the amount of \$41,666 is available in the 1993-94 operating budget of the Fleet and Radio Fund; funding for the remaining \$8,334 of the contract period and the extension option is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE subcontracting opportunities were identified.
27. Authorize execution of one (1) twelve (12) month service agreement to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Austin, Texas, for janitorial/custodial services at the Municipal Court Building, in an amount not to exceed \$39,744, with two (2) twelve (12) month extension options, in an amount not to exceed \$39,744 per extension, for a total amount not to exceed \$119,232. (Funding in the amount of \$33,120 is available in the 1993-94 operating budget for the Department of Public Works and Transportation; funding in the amount of \$6,624 for the final two (2) months of the original contract and the extension options is contingent upon availability of funding in future budgets.) No M/WBE Subcontracting opportunities were identified.
28. Approve execution of a twelve (12) month supply agreement with A & B ELECTRONICS INC., Austin, Texas, for the purchase of various two-way radio repair parts for use by various City departments, in an amount not to exceed \$90,000, with options to extend the agreement for two (2) additional twelve (12) month periods, in an amount not to exceed \$90,000 per extension, for a total contract amount not to exceed \$270,000. (Funding in the amount of \$75,000 is available in the 1993-94 operating budget of the Fleet and Radio Fund; funding for the remaining \$15,000 of the contract and the extension options is contingent upon availability of funding in future budgets.) Low bid of three (3) meeting specifications. No M/WBE Subcontracting opportunities were identified.
29. Approve execution of a twelve (12) month supply agreement with SOUTHERN MATERIALS, INC., Austin, Texas, for the purchase of asphalt concrete material to be used by the Street and Bridge Division of the Department of Public Works and Transportation, in an amount not to exceed \$834,000, with two (2) twelve (12) month extension options, in an amount not to exceed \$834,000 per extension, for a total amount not to exceed \$2,502,000. (Funding in the amount of \$695,000 is available in the 1993-94 operating budget of the Transportation Fund; funding in the amount of \$139,000 for the final

two (2) months of the original contract and the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

30. Approve execution of a contract award with JAMITCH ENTERPRISES, INC., Austin, Texas, for the relocation of the Office of Emergency Management and interior renovations of City Hall, in the amount of \$662,090. (Funding in the amount of \$81,045 was included in the 1991-92 Capital Budget of the Water Utility; \$81,045 was included in the 1991-92 Capital Budget of the Wastewater Utility; \$500,000 was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation.) Low bid of two (2). 65.03% MBE, 0% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
31. Approve ratification of an emergency construction contract to BJI dba B.J. ELECTRIC, Pflugerville, Texas, for emergency renovations involving the air quality at the Rebekah Baines Johnson Annex Clinic and the Clarksville Health Center, in the amount of \$83,172.91. (Funding was included in the 1993-94 Capital Budget of the Health and Human Services Department.) Single bid. No M/WBE Subcontracting opportunities were identified.
32. Approve ratification of an emergency construction contract to AIRCO MECHANICAL, INC., Austin, Texas, for emergency renovations involving the air quality at the Helping Our Brothers Out (HOBO) facilities, located at 411 West Second Street, in the amount of \$68,859. (Funding was included in the 1993-94 Capital Budget of the Health and Human Services Department.) Low bid of five (5). 4.36% MBE, 0% WBE Subcontractor participation.
33. Approve ratification of the selection of SPECTRA CONSULTING ENGINEERS, Austin, Texas, for negotiation and execution of an emergency contract to provide design consultant services for upgrading air quality at the St. John's Health Clinic, located at 928 Blackson Drive, in the amount of \$45,270. (Funding was included in the 1993-94 Capital Budget of the Health and Human Services Department.) Best qualification statement of five (5). 10% MBE, 5% WBE Subcontractor participation.
34. Approve execution of a contract with the GILBERT X-RAY COMPANY OF TEXAS, for the purchase of a Mammography System to be used at the Northeast Austin Health Center, in an amount not to exceed \$74,195. (Funding is available in the Disproportionate Share Trust Fund for the Health and Human Services Department.) Low bid of six (6). No M/WBE Subcontracting opportunities were identified.

35. Approve Change Order #1 to CHASCO CONTRACTING, Round Rock, Texas, for installation of a synthetic liner as part of the current lining project for Sub-areas B2 and B3 of the City of Austin landfill, in the amount of \$114,343.60, for a total contract amount of \$602,314.60 to meet Texas Natural Resources Conservation Commission Municipal Solid Waste regulations and Environmental Protection Agency Regulations. (Funding was included in the 1993-94 Capital Budget for Solid Waste Services.) No M/WBE Subcontracting opportunities were identified.
36. Approve a construction contract award to AUSTIN BRIDGE AND ROAD, INC., Austin, Texas, for reconstruction and overlay on Northeast Drive from U.S. 290 to Manor Road, and on Oltorf Street from Pleasant Valley Road to Sundridge Drive, in the amount of \$1,299,907.95. (Funding in the amount of \$1,275,557.95 was included in the 1993-94 Capital Budget of the Public Works and Transportation Department; \$10,050 was included in the 1991-92 Capital Budget of the Water Utility; \$12,500 was included in the 1991-92 Capital Budget of the Wastewater Utility; and \$1,800 is available in the 1993-94 operating budget of the Drainage Utility.) Low bid of four (4). 16.14% MBE, 7.15% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
37. Approve a construction contract award to AUSTIN BRIDGE AND ROAD INC., Austin, Texas, for overlay of 6th Street from I.H. 35 to Chicon and for 29th Street from Lamar to Guadalupe, in the amount of \$519,871. (Funding in the amount of \$509,921 was included in the 1991-92 Capital Budget of the Public Works and Transportation Department; \$3,750 was included in the 1991-92 Capital Budget of the Wastewater Utility; \$5,000 was included in the 1991-92 Capital Budget of the Water Utility; \$1,200 is available in the 1993-94 operating budget of the Drainage Utility.) Low bid of two (2). 20.23% MBE, 7.53% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
38. Approve an amendment to the Interlocal Agreement with Travis County, for an increase in cost for water line relocations on the Bluff Springs Road Project, in the amount of \$50,000. (Funding was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]
39. Approve a contract award to MCLEAN CONSTRUCTION CO., Killeen, Texas, for construction of a wastewater main in the Balcones Wood Subdivision, in the amount of \$197,487. (Funding was included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of nine (9). 17.72 % MBE, 6.13% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

40. Approve Change Order #4 to BASIC CONSTRUCTORS, INC., Houston, Texas, for additional sedimentation basin modifications, as part of the Sedimentation and Recarbonation Basin improvements at the Ullrich Water Treatment Plant, in the amount of \$193,446, for a total contract amount of \$4,231,627. (Funding was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) 1.54% MBE, 0% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
41. Approve execution of a twelve (12) month supply agreement with AUSTIN WHITE LIME COMPANY, Austin, Texas, for the purchase of approximately 20,000 tons of quicklime for use in the water treatment process, in an amount not to exceed \$1,219,200 with two (2) twelve (12) month extension options, in an amount not to exceed \$1,219,200 per extension option, for a total amount not to exceed \$3,657,600. (Funding in the amount of \$1,117,600 is available in the 1993-94 operating budget of the Water and Wastewater Utility; funding for the final one (1) month of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
42. Approve execution of a twelve (12) month supply agreement with LCI, LTD., Jacksonville Beach, Florida, for the purchase of approximately 692 tons of fluoride to be added to the City's drinking water, in an amount not to exceed \$106,346.56 with two (2) twelve (12) month extension options, in an amount not to exceed \$106,346.56 per extension, for a total amount not to exceed \$319,039.68. (Funding in the amount of \$97,484.35 is available in the 1993-94 operating budget of the Water and Wastewater Utility; funding for the final month of the original contract and the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
43. Approve a construction contract award to AUSTIN FILTER SYSTEM, INC., Austin, Texas, for construction of permanent erosion control measures behind Dunbarton Drive as part of the Little Walnut Creek Erosion Control Phase V, in the amount of \$583,298.30. (Funding was included in the 1993-94 Capital Budget of the Drainage Utility.) Low bid of three (3). 4.48% MBE, 15.49% WBE Subcontractor participation.
44. Approve negotiation and execution of a twelve (12) month contract award with CAPITAL CITY CHAMBER OF COMMERCE, Austin, Texas, for tourism and convention sales among African-American markets, in an estimated amount not to exceed \$170,471, with one (1) twelve (12) month extension option in an estimated amount not to exceed

\$170,471, for a total estimated amount of \$340,942. (Funding was included in the 1993-94 operating budget of the Austin Convention and Visitors Bureau; funding for the extension option is based on projected revenues from the Hotel-Motel Bed Tax collections and contingent upon availability of funding in future budgets.) Best proposal of two (2) 11.41% MBE, 5.08% WBE Subcontractor participation.

45. Approve negotiation and execution of a twelve (12) month contract award with HISPANIC CHAMBER OF COMMERCE, Austin, Texas, for tourism and convention sales among Hispanic markets, in an estimated amount not to exceed \$170,471, with one (1) twelve (12) month extension option in an estimated amount not to exceed \$170,471 for a total estimated amount of \$340,942. (Funding was included in the 1993-94 operating budget of the Austin Convention and Visitors Bureau; funding for the extension option is based on projected revenues from the Hotel-Motel Bed Tax collections, and contingent upon availability of funding in future budgets.) Sole proposal. 10.06% MBE, 5.79% WBE Subcontractor participation.
46. Approve policy recommendations on conditions of zoning. (To be reviewed by Planning Commission on November 16, 1993.) [Related to Item 95]
Deleted
47. Set a public hearing to approve construction of the Oak Hill Branch Library on approximately 12 acres of Dick Nichols Park in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time: December 16, 1993 at 4:30 p.m.)
48. Adopt a resolution directing the City Manager to work with the Animal Advisory Board to create a spay/neuter fund for low income pet owners using the Health Department's Pet Registration Fees as a funding source. (Councilmember Michael "Max" Nofziger)

#25-48 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.

3:00 P.M. - ELECTRIC UTILITY (Items 49-66)

49. Electric Utility Report - Caroline Legette reported.
50. Resource Management Report - Glenn Crow, Chair reported.
51. Monthly Management Report - John Moore reported.
52. Approve the filing of eminent domain proceedings to acquire an electrical transmission line easement containing 66,358 square feet of land out of Lot 1F, of the Rosa J. Spillman Estate, a subdivision

in Austin, Travis County, Texas, owned by the heirs of Laura A. Spillman Braune, Deceased, for construction of the Lytton Springs to Slaughter Lane 138kv Transmission line. (Funding in the amount of \$10,500 was included in the 1991-92 Capital Budget for the Electric Utility.)

53. Approve the filing of eminent domain proceedings to acquire an electrical transmission line easement containing 165,246 square feet of land out of Lot 1E and 2F of the Rosa J. Spillman Estate, a Subdivision in Austin, Travis County, Texas, owned by the heirs of Rosa J. Spillman for construction of the Lytton Springs to Slaughter Lane 138kv Transmission line. (Funding in the amount of \$60,635 was included in the 1991-92 Capital Budget of the Electric Utility Department.)
54. Approve the selection of HAROLD MOORE & ASSOCIATES, Niceville, Florida, to provide professional engineering and associated services for design, manufacturing, testing and installation of transformers and associated equipment, in the amount of \$100,000. (Funding in the amount of \$75,000 was included in the 1991-92 Capital Budget for the Electric Utility Department; \$25,000 is available in the 1993-94 operating budget of the Electric Utility.) Best qualification statement of six (6). 10% MBE, 0% WBE Subcontractor participation.
55. Approve execution of contracts with TECHLINE, INC., Austin, Texas, for seventeen (17) pad mount transformers, in the amount of \$117,544; PRIESTER MELL & NICHOLSON, Austin, Texas, for five (5) pad mount transformers, in the amount of \$78,050; and GENERAL ELECTRIC SUPPLY CO., Austin, Texas, for four (4) pad mount transformers in the amount of \$107,000, for a total of twenty-six (26) pad mount transformers for a total amount of \$302,594. (Funding was included in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of six (6). No M/WBE Subcontracting opportunities were identified.
56. Approve execution of twelve (12) month supply agreements with SOUTHWAY ELECTRIC UTILITY SERVICES, Austin, Texas, in the amount of \$198,409; POLELINE ELECTRIC SUPPLY, Austin, Texas, in the amount of \$128,208; TECHLINE, INC., Austin, Texas, in the amount of \$180,606; PRIESTER-MELL & NICHOLSON, Austin, Texas, in the amount of \$60,469; and POWER SUPPLY, INC., Austin, Texas, in the amount of \$58,711 for the purchase of electrical substation/transmission items (clamps, clevis connectors, dead ends, insulators and lugs), in the amount of \$626,403, with an option to extend for an additional twelve (12) month period in the amount of \$626,403, for a total amount of \$1,252,806. (Funding is available in the 1993-94 operating budget for Electric Utility Department.) Low bids of nine (9). No M/WBE Subcontracting opportunities were identified.

57. Approve execution of a twelve (12) month coal supply contract with KERR-MCGEE COAL COMPANY, Oklahoma City, Oklahoma, for the purchase of coal for the LaFayette Power Project, in an estimated amount of \$3,162,000. (Funding in the amount of \$2,371,500 for fiscal Year 1993-94 will be provided through Electric Fuel Charge revenue; funding in the estimated amount of \$790,000 for Fiscal Year 1994-95 will be provided through Electric Fuel Charge revenue.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
58. Approve execution of a twelve (12) month supply contract with EXXON COAL AND MINERALS COMPANY, Houston, Texas, for the spot purchase of coal for the Fayette Power Project, in an estimated amount of \$516,250. (Funding in the amount of \$387,000 for Fiscal Year 1993-94 will be provided through Electric Fuel Charge revenue; funding in the amount of \$129,250 is estimated for the first three months of Fiscal Year 1994-95 and will be provided through Electric Fuel Charge Revenue.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
59. Approve execution of contracts with SOUTHWAY ELECTRIC UTILITY SERVICE, Austin, Texas, in the amount of \$53,625 for the purchase of thirty-nine (39) substation surge arresters used to protect the electric system from lightning strikes and potentially damaging switching surges; and KBS ELECTRICAL DISTRIBUTORS, Austin, Texas, for the purchase of seventy-one (71) surge arresters, in the amount of \$40,887, for a total amount of \$94,512. (Funding was included in the 1991-92 Capital Budget for the Electric Utility Department.) Low bids of five (5). No M/WBE Subcontracting opportunities were identified.
60. Approve execution of a service contract with AUSTIN METAL & IRON COMPANY, INC., Austin, Texas, for the sale of scrap metal for a two (2) year period, in an estimated revenue of \$149,739.94, with three (3) one (1) year extension options, in an estimated revenue of \$74,869.97 per extension, for a total estimated amount of \$374,349.85. (The amount of \$149,739.94 will be distributed to the following funds: \$119,791.95 in the Electric Utility; \$14,973.99 in the Water and Wastewater Utility; \$7,487 in the Fleet and Radio Fund, and \$7,487 in the General Fund.) Single bid. No M/WBE Subcontracting opportunities were identified.
61. Authorize negotiation and execution of an amendment with D'APPOLONIA ENGINEERING DIVISION OF GROUND TECHNOLOGY, INC., Monroeville, Pennsylvania, for additional engineering and construction management services for the geotechnical and structural investigation and remediation design of the Decker Power Plant project, in the amount of \$333,000, for a total contract amount of \$2,131,974. (Funding was included in the 1993-94 Capital Budget of the Electric Utility Department.) 10% MBE, 5% WBE Subcontractor participation.

62. Approve execution of a twelve (12) month supply agreement with AMERICAN INDUSTRIAL PRECAST PRODUCTS, INC., Seguin, Texas, for the purchase of precast concrete manholes, in the amount of \$197,825, with the option to extend for two (2) twelve (12) month periods, in the amount of \$197,825 per extension, for a total amount of \$593,475. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
63. Approve execution of a contract to BALTEAU STANDARD INC., Medford, Oregon, for the purchase of twenty-seven (27) 138 kv single-phase potential transformers used to reduce transmission level voltages to facilitate accurate voltage measurement, in the amount of \$160,920. (Funding was included in the 1991-92 Capital Budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
64. Approve execution of a construction contract award to OLIVER ROOFING SYSTEMS, Austin, Texas, for re-roofing Buildings C & D of the Kramer Lane Service Center, in the amount of \$148,430. (Funding was included in the 1993-94 Capital Budget for the Electric Utility Department.) Low bid of six (6). 18.86% MBE, 1.68% WBE Subcontractor participation.
65. Approve amendments for the second year of work to be accomplished through the existing agreements with three environmental engineering consultant firms previously selected under a single Request for Qualification process, in an amount not to exceed \$529,966 for all contracts: RADIAN CORPORATION, Austin, Texas, in the amount of \$99,966, BURNS & MCDONNELL, INC., Kansas City, Missouri, in the amount of \$305,000; and ROY F. WESTON, INC., Austin, Texas, in the amount of \$125,000. (Funding in the amount of \$430,000 was included in the 1993-94 Capital Budget of the Electric Utility Department; \$99,966 is available in the 1993-94 operating budget for the Electric Utility Department.) M/WBE Subcontractor participation: Radian (10% MBE, 5% WBE); Roy F. Weston (60% MBE, 0% WBE); Burns & McDonnell (9.84% MBE, 0% WBE).
66. Approve execution of a contract with WESTINGHOUSE ELECTRIC CORPORATION, San Antonio, Texas, for the repair and rewind of the Decker #2 generator rotor, in the amount of \$793,000. (Funding is available in the 1993-94 operating budget of the Electric Utility Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

#52-66 on Mayor Pro Tem Urdy's motion, Councilmember Shea's second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

67. C14-85-022 - FRANKLIN FEDERAL BANCORP, by Stephen Fain, 8600-9800 blocks (west side) of Manchaca Road; 1700-1800 blocks (north side) of Slaughter Lane West; and 1800-1900 blocks (south side) of Dittmar Road West. From "I-RR", Interim Rural Residence to "GR, Community Commercial; CS, Commercial Services; LR, Neighborhood Commercial; LO, Limited Office; MF-2, Multifamily Residence (low density); and SF-3, Family Residence".

PUBLIC HEARING CLOSED - On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0-1 Vote, Councilmember Reynolds abstained.

ORDINANCE APPROVED - On Councilmember Garcia's motion, Councilmember Goodman's second, 6-0-1 Vote, Councilmember Reynolds abstained.

68. C14-93-0100 - WARREN BEAMAN, by Regis Matejck, 505-507 East Riverside Drive. From GO-NCCD to MF-4-NCCD. Planning Commission Recommendation: To deny MF-4-NCCD.
POSTPONED INDEFINITELY
69. C14-90-0017 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn (Nancy Riviere), FM 2222 and FM 620. From DR to RR (Tract 1) and SF-2 (Tract 2). Planning Commission Recommendation: To Grant RR, Rural Residence for Tract 1 and SF-2, Single Family Residence (standard lot) for Tract 2, subject to the following provisions: (1) provide access to the west through the Ribelin Tract from the McNeil Road; (2) provide a minimum 2 @ 24' roadway access from McNeil Road; (3) dedication of 75' of right-of-way and 150' of right-of-way reserved from the existing centerline of RM 2222 in accordance with the roadway plan; and (4) provision of signalization at McNeil Road and FM 2222 if staff study deems this is necessary.
POSTPONED TO DECEMBER 16, 1993 (AFTER MORATORIUM)
70. C14-93-0022 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn (Nancy Riviere), FM 2222. From DR to SF-1. Planning Commission Recommendation: To Grant SF-1-CO, Single Family Residence (large lot)-Conditional Overlay, limited to a maximum of 82 units and 90 feet of right-of-way dedication for the extension of Arterial 8 in accordance with the roadway plan.
POSTPONED TO DECEMBER 16, 1993
71. C14-93-0110 - C.O.A.-PLANNING & DEVELOPMENT, 3710 Enfield Road, 1505-1511 Scenic Drive, and 3713-3721 Bonnie Road. From LO, SF-3 & MF-2 to P. Planning Commission Recommendation: To Grant P, Public

District, zoning with the recommendation that the Parks and Recreation Department (PARC) and Environmental and Conservation Services Department (ECS) address the following conditions as soon as possible: (1) limit use to 24-hours; (2) post signs prohibiting parking for non park and boat dock use; (3) relocate street sweeper transfer site (ECS); and (4) use pervious pavers for future paving, keeping area as natural as possible (PARC). (cont'd from 10-21 CC agenda)

POSTPONED TO JANUARY 13, 1994

72. C14H-93-0015 - PARSLEY HOUSE (David A. Zapata), 1009 East 8th Street. From SF-3 to SF-3-H. Planning Commission Recommendation: To Grant SF-3-H, Family Residence-Historic ORDINANCE

#68-72 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.

73. C14-93-0088 - GIRLING HEALTH CARE, INC. (Robert G.W. Girling, III), by Rylander Consulting Group (Carol Rylander), 1304 and 1306 West 49th Street, and 4903 Woodrow. From SF-3 to LO. Planning Commission Recommendation: To Grant LO, Limited Office, zoning subject to dedication of up to forty feet (40') of right-of-way from the existing centerline of Woodrow Avenue and up to thirty-five feet (35') from the existing centerline of 49th Street. ORDINANCE

74. C14-93-0089 - GIRLING HEALTH CARE, INC. (Robert G.W. Girling, III), by Rylander Consulting Group (Carol Rylander), 1205 and 1207 West 49 1/2 Street. From SF-3 to LO. Planning Commission Recommendation: To Deny LO, Limited Office, zoning. DENIED

#73 & 74 voted on together

Motion

PUBLIC HEARING CLOSED, on Councilmember Goodman's motion, Councilmember Shea's second, 6-0 Vote, Councilmember Garcia out of the room.

Motion

Councilmember Shea made a motion, seconded by Councilmember Goodman to Deny.

Substitute Motion - Died for Lack of Second

Councilmember Reynolds offered a substitute motion to delay. Motion died due to lack of second.

Substitute Motion

Councilmember Reynolds made a motion, seconded by Councilmember Nofziger to approve Planning Commission and staff recommendation. Motion passed on a 4-2-0 Vote, Councilmembers Goodman and Shea voted No, Councilmember Garcia out of the room. This would be First Reading only.

LATER IN THE DAY

Motion to Reconsider

Councilmember Nofziger's motion, seconded by Councilmember Reynolds to reconsider passed by a 6-1 Vote, Councilmember Shea voted No.

Motion

On Councilmember Reynolds motion, Councilmember Nofziger's second "to approve Planning Department recommendation, 73 for and 74 against" (#73 on all three readings (Ordinance) and DENY #74). Motion passed by a vote of 5-2, Councilmembers Goodman and Shea voted No.

75. C14-93-0114 - CITY OF AUSTIN - PARKS AND RECREATION DEPARTMENT (Stuart Strong), by C.O.A.-Park Planning & Design (Carol Foy), 1101 Mearns Meadow Blvd. From MF-2 to P. Planning Commission Recommendation: To Grant P, Public, zoning as requested.
ORDINANCE
76. C14-93-0115 - DAVID IKARD, by The Faust Group (Bill Faust), 7507 Old Bee Caves Road. From I-RR to GO. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay, zoning subject to dedication of forty-five feet (45') of right-of-way from the existing centerline of Old Bee Caves Road and limiting the floor-to-area ratio (F.A.R.) for medical office to 0.40; and RR, Rural Residence, zoning for the floodplain.
FIRST READING
77. C14-93-0121 - GEORGE POSTON, by Graves, Dougherty, Hearon (Anne E. Vanderburg), 1919 E. Riverside Drive. From LR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning, subject to: (1) limitations of floor-to-area ratios - 0.63 for Retail (general & convenience), 0.21 for Food Sales; (2) prohibiting Restaurants (fast-food, limited, general) and Financial Services uses.
ORDINANCE

78. C14-93-0122 - MILBURN INVESTMENTS, INC. (Joseph DiQuinzio), W. Dittmar Road and Manchaca Road. From SF-2 to SF-4. Planning Commission Recommendation: To Grant SF-4A-CO, Single Family Residence (small lot)-Conditional Overlay, limiting density to a maximum of 209 single family units.
ORDINANCE
79. C14-86-161 - TREEMONT, AUSTIN, INC., by Graves, Dougherty, Hearon (Terry Bray), 1500 to 1700 S. Mopac Expressway. Restrictive Covenant Amendment. Planning Commission Recommendation: To approve amendment to restrictive covenant.
APPROVED
80. C14-93-0126 - TREEMONT, AUSTIN, INC. (Larry Peel), by Graves, Dougherty, Hearon (Terry Bray), 1500 to 1700 S. Mopac Expressway. From LO & LR to GO. Planning Commission Recommendation: To Grant GO, General Office, zoning as requested.
FIRST READING
81. C14-93-0057 - K-MART CORPORATION, by Bury & Pittman (Greg Strmiska), 4980 U.S. Hwy. 290 West. From RR to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning. The conditional overlay limits land uses and intensities which will not exceed or significantly vary from the projected traffic conditions assumed in the Traffic Impact Analysis (TIA), including peak hour trip generation, traffic distribution, roadway conditions, and other traffic-related characteristics. Further subject to: (1) prohibit underground storage tanks; (2) prohibit any use that would require a hazardous material permit; (3) convert excess parking spaces to native vegetation - this landscape should be below grade of parking lot - act as a drainage easement; (4) require that parking lot be swept once a week; and (5) prohibit the following uses: adult oriented businesses, agricultural sales, arts & crafts, automotive repair/sales/washing, building maintenance services, commercial parking, construction sales, equipment sales/repair, exterminating services, funeral services, kennels, laundry services, dry cleaning, pet services, recreational equipment sales/maintenance, research services, service station, theatre, vehicle storage, and veterinary services.
POSTPONED TO DECEMBER 2, 1993
82. C14-93-0118 - MANUEL ZUNIGA, by City of Austin - Transportation & Public Services Department (Kalpina Sutaria), 3911 Manchaca Road. From SF-3 & LO to P. Planning Commission Recommendation: To grant P, Public District zoning as requested.
ORDINANCE

To be heard by Planning Commission on November 16, 1993;
Recommendation to Follow

83. C14-93-0046 - CLARK LYDA, by Bury & Pittman (Jim Knight), 3402 West Farmer Lane. From SF-6 to MF-1.
WITHDRAWN AT APPLICANT'S REQUEST
84. C14H-93-0013 - GINSBURG BUILDING, 219 East 6th Street. From CBD to CBD-H. Planning Commission recommendation: To grant CBD-H zoning by a vote of 7-0.
ORDINANCE
85. C14H-93-0016 - B.J. SMITH HOUSE, 700 West 6th Street. From CBD to CBD-H.
POSTPONED TO DECEMBER 9, 1993

§75-85 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

86. 4:30 P.M. - Appeal by Lenore E. Newsom of the Planning Commission's decision to deny an application for a conditional use permit site plan for a kennel to be located at 6004 City Park Road. (Public Hearing Closed - No Citizen Sign-Up.)

Council discussed and there was no motion.

LATER IN THE DAY - Council discussed again and the following motion was made:

Motion

Councilmember Garcia made a motion, seconded by Mayor Pro Tem Urdy to grant the appeal with the following conditions:

1. Setbacks - no building improvements will be allowed within the existing 95' setback from City Park Road, as shown on the attached site plan SPC-9300172CS. (See site plan in Planning Department)
2. Screening - A six foot wooden privacy fence shall be constructed and maintained along the east property line for approximately 95', and another six foot wooden privacy fence will be constructed parallel to the southern building line, as shown on the site plan SPC-93-0172CS.
3. Kennel Use - Expansion of the kennel area (dog runs) will not be permitted without the approval of the Planning Commission.

No animals will be exercised outdoors without supervision.

No animals will be allowed outdoors, except for pick-up and delivery between 7:00 P.M. and 7:00 A.M.

4. Soundproofing - The proposed kennel will be completely enclosed and soundproofed with 3.5 inches of sound insulation on all four walls and ceiling of the kennel.

A cinderblock concrete interior wall will be constructed around the sleeping compartment area. The sleeping area for the animals will be a minimum of eleven feet from the exterior walls of the building.

Friendly Amendment

Councilmember Goodman offered a friendly amendment that berm signage and outdoor lighting will be friendly to the neighborhood. Her amendment was accepted by the maker and the second to the motion.

Friendly Amendment

Councilmember Garcia offered a friendly amendment to his motion to add the following:

(The Legal Department is to determine which of these can legally be applied.)

1. No bird feeders.
2. No feeding of animals outside.
3. No clearing of trees or vegetation.
4. No planting of non-indigenous vegetation.
5. No outside cats.
6. No uncontainerized trash or refuse.
7. No excessive noise.
8. No construction during the nesting season of the endangered birds (March 1st through August 1st).
9. No use of pesticides on exterior vegetation. (The Newsoms would like permission to use organic pesticides approved by the City biologist in case of fire ants, etc. and they are unsure whether organic pesticides are considered detrimental to the refuge.)

Roll Call on Motion with Friendly Amendments

6-0-1 Vote, Mayor Todd abstained.

87. 6:30 P.M. - Public Hearing on full purpose annexation of the following areas: Milwood Sections 12-21, River Place at FM 620/FM 2222; Forest Ridge; Pioneer Farm area; Commons Ford Park; Mary Searight Park; Barton Creek Greenbelt Access at MoPac. Speaker's cards on file in City Clerk's office.

Motion

The Council on Councilmember Garcia's motion, and Councilmember Reynolds' second, closed the public hearing and set an on-site public hearing for Wednesday, December 1, 1993 at 7:00 P.M. at the corner of Garfield and Huntsville Drive. (6-0 Vote, Mayor Pro Tem Urdy out of the room.)

(Items No. 88 through 97 were discussed in Mayor's Office in morning Executive Session of November 18, 1993. If interested, see the agenda for that meeting.)

RECESS FOR SPECIAL CALLED MEETING

Council recessed at 7:30 P.M., on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Garcia out of the room to hold the following special called meeting:

ITEMS FROM COUNCIL

1. Approve a resolution finding that the SOS Ordinance, Section 13-7-36.8(b) of the Land Development Code applies to the proposed Barton Creek Community Planned Unit Development Agreement notwithstanding the provisions of the out-of-City Planned Unit Development statute 42.046, Texas Local Government Code. (Councilmembers Brigid Shea and Michael "Max" Nofziger) Postponed to December 2, 1993.

EXECUTIVE SESSION (No Public Discussion on These Items)

Advice from Counsel - Sec. 551.071

2. Discuss legal issues concerning acquisition of Upland and Sweetwater tracts.

Land Acquisition - Sec. 551.072

3. Discuss acquisition of Uplands and Sweetwater tracts.

ADJOURNMENT OF SPECIAL CALLED MEETING

The meeting was adjourned at 8:25 P.M.

98. Discussion of real property acquisition for the Barton Creek Wilderness Park.
DELETED

ACTION ON THE FOLLOWING

99. Authorize entering into an agreement with the law firm of Shaw, Pittman, Potts & Trowbridge, Washington, D.C., to provide legal counsel and representation in Federal regulatory matters related to the City of Austin's ownership of the South Texas Project. In the amount of \$400,000.00 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.
100. Approve negotiation and execution of real property acquisition for the Parkfield at Rutland Intersection Transportation System Management Improvement Project. In the amount of \$39,466.
101. Amend Ordinance No. 930915-D, the 1993-94 Capital Budget by increasing appropriations in the Barton Creek Wilderness Park Capital Project from \$2,650,000 to \$20,000,000.
Deleted
102. Approve a resolution expressing the City's intent to reimburse itself for payments, notes and other obligations related to the acquisition of real property as part of the Barton Creek Wilderness Park at such time as the City issues obligations to finance the project.
Deleted
103. Authorize the negotiation and execution of a contract for the lease purchase of 187.413 acres known as the Gaines Ranch through the Trust for Public Land for Phase II of the Barton Creek Wilderness Park.
Deleted

#100-103 on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 Vote.

104. APPOINTMENTS

TRAVIS CENTRAL APPRAISAL DISTRICT BOARD OF TRUSTEES - 2 (TO EXPIRE 12/31/93)

Reappoint Robert Dickson and Eleanor Powell on Councilmember Nofziger's motion, Councilmember Garcia's second, 7-0 Vote.

9:55 P.M. - ADJOURN - Meeting adjourned on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 7-0 Vote.